MIS 4/01/96' 9602780486001

DR Number 96-004443

HUNTINGTON BEACH POLICE DEPARTMENT CASUALTY REPORT

Date of Report: 02/25/96

Code Offense	Descript - DEATH RE			
Date Occurred: Or Between: Discovered: Reported:	SUN 02/25/96 a SUN 02/25/96 a	t 20:10		
Location: At or Near: Name of Place: RD:	155 Beat:	10		
CRIME SCENE INV	ESTIGATION			
CSI Conducted:	Y by L. DZIEDZI	c	PIN 0677	
INVESTIGATIVE A	analysis			
Was there signing is there identified in the signing is there good is the signing is the signing is the signing is the signing it is the signing is the sign	Is there a Was there an a ect vehicle be id ficant or seriou ntifiable stolen Ignificant Modus Ificant Physical I probability of this a continuing associated Stoler ike report been of	dentified ? Notes injury ? You property ? Notes ? You consider ? You consider ? Notes	Are there any II	numbers ?
Officer A. GREE	ENBURG	PIN 1061	Supervisor	M
Page 1			Date	3/26/96
TYPED BY: P. BI HBPD FORM OFFER			printed or	96-004443 1 02/26/96 at 12:14

			· •	
	HUNTINGTON BE	EACH POLICE DE	EPARTMENT 96022	ge we bool
Date of Report: 02/	25/96			r 96-004443
PERSONS INVOLVED				
Involvement: VICTIMAME: Name: Name: Nome: Nome Phone: Occupation: STUDENT Employer Address: Relationship:	Work	DOB: 06/22/6 HOUST	:	TX 77080
Involvement: FINDER Vame: Vaddress: Home Phone: Occupation: Employer Address:	Work	DOB: 04/14/6 HOUS' Phone: Employed by	TON	 e: TX 77080
Relationship: Involvement: Name: Address: Home Phone: Dccupation: CAR SAI Employer Address: Relationship:		DOB: 11/06/	INGTON BEACH	e: CA 92649
 Details:			. •	• • •
PROPERTY: Se On 02-25-96, at 203 4952 Maui Lane. I received the call a cone minute after I	was approximately and responded code	ved a call of y two blocks :	a possible child from the location	n when I
Jpon my arrival, I the rear yard, I so in-ground jacuzzi. in an easterly diredoing CPR. I also identified by Office	was lying ection. I saw her saw a female doing	lying on the ground father, and compression	e wood deck adjacend, on her back, leans	cent to an with her head ing over his female was
Officer A. GREENBU	RG P.	IN 1061	Supervisor	m)
TYPED BY: P. BROWN HBPD FORM OFFENSE			printed on 0	96-004443 2/26/96 at 12:14

HUNTINGTO	ON BEACH POLIC CASUALTY REPOR	CE DEPARTMENT C	200228! WE 600/
Date of Report: 02/25/96			Number 96-004443
As I approached checked and saw that she was not had vomited.	I noticed the breathing ar	nat she was blu nd had no pulse	e in color. I . I also noted that
I then removed my portable CPR mairway and relieved I continued to do two relieved I continued to do two relieved I continued to do two relieved. I then continued with CPR, until Huntington Eto Huntington Beach Medical Cent	from CPR with continued the cinued to assistant and the continued to a sister and the continued to assistant and the continued to assistant and the continued to a sister and the c	com doing CPR of the the female to the CPR until Hulst Huntington	n his daughter, hat was already ntington Beach Medic Beach Medic Engine
After was transposed was transposed walked back into the backyard are jacuzzi was an approximate 7 for deck around it. I noticed that just west of the jacuzzi. I also the jets had been turned off. It scissors with orange handles resigned jacuzzi. I then noticed a large drain cover, also on the east was mately one foot from the bottom CSI report and additional supplet to the location.	nd examined the cottock of the jacuzzi of the second inside the second inside the second in the second in the jacuzze of the j	ne jacuzzi area aped in-ground cover was lying at the jacuzzi de the jacuzzi seat at the eas wn hair stuck it cuzzi, below the ci. For furthe	I saw that the jacuzzi, with a wood on the wood deck, light was on, but and saw a pair of t end of the what looked like a e seat, approxir details, refer to
I then spoke with	the father of	of	
told me that he are muntington Beach on vacation, st	nd live	e in	and are in
told me that on 02 was unsure or the exact time, asked if she could take a jacuz then went into the back turned the jacuzzi heater on for	kyard and remo	had just fini said that	and 1945 hours, he shed dinner and his stepfather, of the jacuzzi and
said approximately asked where jacuzzi. and the backyard for the front yard and checked the interest of the said approximately asked where asked asked the interest of the said approximately asked where asked where asked where asked where asked where asked where asked the said approximately asked where asked asked where asked where asked where asked where asked where asked a	was and	said that she then went ou while	
Officer A. GREENBURG	PIN 1061	Supervisor	[mi]
Page 3		Date	1 2/36/96
TYPED BY: P. BROWN /420805 HBPD FORM OFFENSE (rev. 12/91)		printed	96-004443 on 02/26/96 at 12:14

960228 EWE 6001

HUNTINGTON BEACH POLICE DEPARTMENT CASUALTY REPORT

Date of Report: 02/25/96	DR Number 96-004443
told me that he then went h interior of the house for the U into the backyard and double check t	back inside the house and checked the entire mable to find her, he decided to go out the jacuzzi for
noticed factoring factoring on the drain of the jacuzzi	the jacuzzi light, at which time to the jacuzzi light, at which time to the jacuzzi with her said he tried to pull said he tried to pull the to due to the fact that her hair was he then yelled for someone to get him a prought the scissors, at which is to retrieve from the pool. Once tarted CPR on continued the CPR myself.
I then spoke with	the step-grandfather of
time, he had just finished dinner an other family members who were at his	round 1930 hours, he was unsure of the exact and went to play cards with and shouse located at Approximately cards, he was unsure of the time, he asked if he would turn take a jacuzzi. Said yes to
and walked out to the backyard, remo	oved the jacuzzi cover from the jacuzzi and r, lights and jacuzzi bubble jets. He then would be okay alone in the yes, she'll be fine in the jacuzzi. inued their card game.
Approximately 20 minutes after room. When she came from the restriction about 5 minutes at the card table at	turned on the jacuzzi for left the card table and went to the rest- com, she said is not in the jacuzzi. and himself talked for could be.
then walked out to the while and house, then checked the backyard and me that he and his wife, looked into the jacuzzi and noticed	e front yard and checked the front yard for checked the entire inside of the d jacuzzi for told walked in the backyard to the jacuzzi, that the light of the jacuzzi was on and turned off the jacuzzi bubble zi and still did not see Krista inside the
Officer A. GREENBURG P	IN 1061 Supervisor
Page 4	Date 2/06/96
TYPED BY: P. BROWN /420805 HBPD FORM OFFENSE (rev. 12/91)	96-004443 printed on 02/26/96 at 12:1

HUNTINGTON BEACH POLICE DEPARTMENT 960228 CWE 6001

Pate of Report: 02/25/96		DR Number 96-004	443
acuzzi. and		then went back into the h	ouse.
walked back to the howard and decided to double check he was sure that was not then walked over to the jack looked outside to double the jack looked outside to drain at the east end of the jack nim a pair of scissors, at which scissors and brought them to cout hair, enabling him	his backyard in the jacuzzi	asked said,	yes.
<pre>jacuzzi, he laid her on the deck CPR, at which time his neighbor,</pre>	t, next to the a nurse from ouse and assis	across the street by the national ted with CPR.	ame of For
Officer MARTIN, Officer COTTRIES Beach Medical Center to conduct details, refer to their suppleme	a follow-up i	nvestigation. For further	gton
No further investigation was con	nducted by me	at this time.	
P ;			
* * * * * * * * * * * * * * * * * * *			
		^	
Officer A. GREENBURG	PIN 1061	Supervisor	
Page 5		Date	19L

TYPED BY: P. BROWN /420805 HBPD FORM OFFENSE (rev. 12/91)

96-004443

printed on 02/26/96 at 12:1

AUTHORIZATION AND REQUEST FOR POLICE REPORT

OK to give copy for

Location of Accident:

City of / County of:

Date of Accident:

AUTHORIZATION AND REQUEST FOR POLICE REPORT

OK to give copy for

Location Place Copy for

Location of Accident:

Authorization And Request For Police Report

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Authorization And Request Copy for

Location of Accident:

Authorization And Request For Police Report

Authorization And Request Copy for

Location of Accident:

Feb 25, 1996

Kindly permit my attorneys, KESSLER & ASSOCIATES, or their representative, to examine and make copies of, and at their request, furnish them with copies of any police reports, photographs or other information you may have concerning the above referenced accident.

A copy of this signed Authorization bearing a copy of my signature shall be as effective and valid as the original.

DATED:

Parties Involved:

SIGNED:

PLEASE MAIL REPORT TO:

GARY ALAN KESSLER, ESQ. KESSLER & ASSOCIATES
4570 Campus Drive, Suite 17
Newport Beach, CA 92663
(714) 252-2168



HUNTINGTON BEACH POLICE DEPARTMENT INCIDENT REPORT NARRATIVE

96-04443

HUNTINGTON BEACH Page		of T
NARRATIVE: (List DRUGS, DOCTOR(S), HOSPITAL and CORONER, etc. in Casualty Report nar	ratives	,
SUPPLEMENTAL:		
960228 CW	<u>-60</u>	0/
VICTIM:		14
6-22-83		
HOUSTON, TX 77080		
		•
DN 2-25-96, AT APPROX. 2045 HRS, 1	WA	15
REQUESTED BY SET. STUART TO RESPOND TO	<u></u>	
UPON ARRIVAL, I CONTACTED SET. STU	AR	
(WHO WAS IN THE LIVINGROOM, WE WALKED	0	UT-
SIDE, TO THE BACKYARD, AND I SAW OFFICE		
COTTREIL AND OFFICER MARTIN STANDING		
TO THE JACUZZI. OFFICER COTTREIL WAS	US	JN6-
THE "SKIMMER" TO RETRIEVE THE VICTIM'S	H	AIR
THAT HAD BEEN CAUGHT IN THE DRAIN		
COVER.		
OFFICER COTTREIL HAD REMOVED THE !	DRA	ころ
COVER, WHICH I TOOK POSSESSION OF AN	0	
WAS LATER BOOKED INTO EVIDENCE AS ITEM		
THE HAIR THAT WAS COLLECTED FROM THE		
AND DRAIN COVER WERE ALSO BOOKED INTO		
EVIDENCE AT A LATER TIME.		175
Officer: KLEMKE PIN: 82 Supervisor: MP 19 Date:	21	26 196

960228 CWE 6001



HUNTINGTON BEACH POLICE DEPARTMENT INCIDENT REPORT NARRATIVE

CASE # - 04443

NARRATIVE: (List DRUGS, DOCTOR(S), HOSPITAL and CORONER, etc. in Casualty Report narratives) I WAS THEN REQUESTED TO 60 TO "HUNTINGTON BEACH MEDICAL CENTER" TO INTERVIEW OTHER FAMILY MEMBERS. UPON ARRIVAL, I WAS NOTIFIED BY SET. TIDRICK THAT THE FAMILY HAD DECIDED TO GO BACK HOME. OFFICER COTTREIL, WHO ALSO SHOWED UP AT "H.B.M.C." THEN WENT BACK TO THE RESIDENCE TO INTERVIEW THE REST OF THE FAMILY MEMBER'S. STAYED AT "H.B.M.C." AWAITING THE ARRIVAL OF THE CORONER. AT APPROX. 2200 HRS. SENIOR DEPUTY CHRISTY WURSTER-MCCOY (3:29.76) ARRIVED AND TOOK CUSTODY OF THE VICTIM. WHILE DEPUTY CHRISTY WURSTER- MCCOY WAS CONDUCTING HER INVESTIGATION, SHE TOLD ME THAT SHE DID NOT SEE ANY SUSPICIOUS TRAUMA. THERE WERE TWO I'I SCRATCHES ON THE INNER PORTION OF HUMPHREY'S LEFT SHIN. ONE SCRATCH WAS APPROX. APPROX. 31/2" ABOVE THE ANKLE. THE OTHER SCRATCH WAS JUST ABOVE THIS OTHER ONE AND IT WAS APPROX. I"W X 1/4" (W), DEPUTY CHRISTY WURSTER- MCCOY STATED THAT THESE SCRATCHES LOOKED "FRESH", HOWEVER, DUE TO THE VICTIM BEING IN WATER SHE WAS NOT STATING THE TO BE FACT AT THIS TIME. Officer: KLEMKE PIN: 18Z Supervisor: M Date:



HUNTINGTON BEACH POLICE DEPARTMENT INCIDENT REPORT NARRATIVE

NARRATIVE: (List DRUGS, DOCTOR(S), HOSPITAL and CORONER, etc. in Casualty Report narratives)
AT APPROX. 2225 HRS., DAN NEWTON
FROM THE CORONER'S OFFICE REMOVED THE
MOTIM'S BODY FROM "H.B.M.C."
I THEN RESPONDED TO THE "HUNTINGTON
BEACH POLICE DEPARTMENT" WHERE THE
PROPERTY WAS BOOKED INTO EVIDENCE.
NO FURTHER DETAILS, REFER TO
OFFICER GREENBURG AND MARTINS REPORTS.
SEE DEPUTY CHRISTY WURSTER-MCCOY REPORT
FILED UNDER 96-01341-WU.
,
, nn
VIENAUT 100 20
Officer: KLEMKE PIN: 182 Supervisor: The Date: / /

960228 CWE 6001



HUNTINGTON BEACH POLICE DEPARTMENT INCIDENT REPORT PROPERTY CONTINUATION

CASE # 04443

	: :: <u></u>				aata K aan	ing Found	Lost S-toler	n R-ecovered	D-amaged
		11.15 July 1 1.47	DES: E	House and the say	1. Cumency 2.	lawater 7 Clathing	Fire A - Freelly Stole	n Vehicles & Office E	quipment
CATEG	ORIES:	Enter a Ca	tegory num	ber 1 - 11	6 - TV, Radio, St	ereo 7 - Fireerms 8 -	- Hausehold Goods - 9	- Consumable Goods	TO-UV-MOCK TT-MIRE
Item#	Owner	Code	Category	Qty/Wt.		(Use first prope			\$ VALUE
		<u> </u>	7	1	L Auto Pi	stol L Revo	olver L Mili	tery L Rifle	Shotgun
Brand:			Model:		Barre	el Length:	Grips/Stock:	Serial #	
Color:		No. R	ounds:	Calibe	r: Mi	sc. Info:			\$
Item #	Owner	Code	Category	Qty/Wt.	Description of	of Property (Wha	it is it?, Make,	Model, Size Info	, Color(s), S/N)
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Per D	etective/O	fficer:			PIN # Da	te S	Signature		
Finde	r's Signatu	ıre:			Da				perty after 90-days
			ing proper	ty:	Da	te lo	dentified persor	by DL ID	Card Other: ///
247		MAKE		PIN: 15	32 Superv	isor:	'L		Date: / /

960228CWE 6001

DR Number 96-004443

HUNTINGTON BEACH POLICE DEPARTMENT SUPPLEMENTAL REPORT

)ate of Report: 02/25/96

ode Offense	Description - DEATH REPOR	r		
Oate Occurred: SUN Or Between:	at	19:30		·
Discovered: Reported: SUN	at 02/25/96 at	20:10		
Location: At or Near: Name of Place: RD:	Beat:			
PERSONS INVOLVED				
Involvement: WITNES Name: Address: Home Phone: Docupation: Employer Address:	Wor	DOB: 10/03/4 HUNT: k Phone: Employed by	:	A 92649
Relationship:	Interviewed? Y		Support Prosecuti	.on:
Involvement: WITNES Name: Address: Home Phone: Occupation: Employer Address: Relationship:	Wor	DOB: 11/01/1 HUNT k Phone: Employed by	INGTON BEACH	A 92649
Involvement: WITNE Name: Address: Home Phone: Occupation:	ss	Sex: F R DOB: 02/12/	ace: 37 Age Range: INGTON BEACH (CA 92649
Employer Address: Relationship:	Interviewed?	Can ID?	Support Prosecuti	ion?
···				• • •
Officer D. MARTIN		PIN 1046	Supervisor	
Page 1			Date	14 14
TYPED BY: P. BROWN HBPD FORM OFFENSE			printed on 02/2	96-004443/1 26/96 at 16:19

968228 CUE 6001

	PLEMENTAL REPOR		
Date of Report: 02/25/96		DR Nur	nber 96-004443
Details:			
on 02-25-96 at 2010 hours, Disp for a report of a 12-year- COTTRIEL, #253, and I responded who had been assigned the call	old who was for to the locati	und in a jacuzzi	Officer
Upon our arrival at the location Department were already at the on the floor in the base ment was attempting to resuscit asked me to assist him with his	scene. We ent ack living room tate the uncons	ered the house as . Huntington Be- cious victim. O	nd saw
Huntington Beach Fire Departmen Beach Medical Center. Officer Center and were advised by the the victim dead at 2043 hours.	COTTRIEL and I E.R. staff tha	went to Hunting	on Beach Medical
Officer KLEMKE responded to Hunthe victim and awaited the arr: supplemental report for furthe:	ival of the cor	Medical Center as coner. See Offic	nd stood by with er KLEMKE's
Officer COTTRIEL and I responde	ed back to	and	I met with
She told me that at about 1940 eating dinner and had gone into into the garage and asked told her that put on her bathing suit.	hours this even the garage to if it would be al	ening, the family o play cards. She could go si	had finished came in the jacuzzi. went to
About 15 minutes later, side the bathroom window into was not in the asked the other adults where where had gone, they be	the backyard. iacuzzi. She had gone.	went back into the Since none of	noticed that he garage and the adults knew
noticed that the jacuzzi light jacuzzi and did not see jacuzzi and the jucuzzi lights surrounding neighborhood for	s and bubbles v	were on. They lo	oked inside the
At about 2010 hours, to check the jacuzzi one more			decided he wanted to the backyard
Officer D. MARTIN	PIN 1046	Supervisor _	Y
Page 2		Date	7-14-94
TYPED BY: P. BROWN /420805 HBPD FORM OFFENSE (rev. 12/91)		printed o	96-004443/1 n 02/26/96 at 16:19

960228 CWE 6001

HUNTINGTON BEACH POLICE DEPARTMENT SUPPLEMENTAL REPORT

ate of Report: 02/25/96	DR Number 96-004443
the jacuzzi and grabbed his day nowever, hair was study jacuzzi. Scissors. The pair of scissors. Staughter's hair and free her fr	g at the bottom of the jacuzzi. He reached into ghter and tried to pull her out of the water, k in the filter opening at the bottom of the to the and told him to go get some inside the house and returned several seconds used the scissors to cut away his om the jacuzzi's filter. He was then able to cuzzi and laid her on the deck.
nouse. immediately began then ran over to	to perform CPR as walked into the nurse, shouted for and began to assist with CPR.
soon afterwards, Officer GREEN	to the 911 operator for several seconds and URG arrived at the scene and began to assist G's report for further details.
I contacted and bors.	who are and neigh-
met on the front and wandered away from the house and her. Several minutes later, inside the house. Attempting to perform CPR on began to assist	and her husband were walking across the street to house to play cards. Said she lawn of the residence. That it appeared that had determined the control heard several family members shouting ran inside the house and saw She immediately ran over and with CPR. Less than a minute later, Officer on and also began to assist with
human hair stuck to the jacuzzi the jacuzzi, near the bottom. filter cover and retrieved the over to CSI Officer DZIEDZIC, water temperature with a pool	ed the jacuzzi. I observed a large amount of filter cover that was located on the side of Officer COTTRIEL and I removed the jacuzzi's hair. We turned the hair and the filter cover 677. Officer COTTRIEL and I tested the jacuzzi thermometer and noted that the temperature was 94 looked at a nearby thermometer and noted that s 52 degrees.
	-
Officer D. MARTIN	PIN 1046 Supervisor W
Page 3	Date

/420805

TYPED BY: P. BROWN

HBPD FORM OFFENSE (rev. 12/91)

96-004443/1 printed on 02/26/96 at 16:19 HUNTINGTON BEACH POLICE DEPARTMENT SUPPLEMENTAL REPORT

Date of Report: 02/25/96

DR Number 96-004443

Officer COTTRIEL and I responded back to Huntington Beach Medical Center and met with Orange County Coroner WURSTER, employee #53. WURSTER told me she had examined so body and had determined that the cause of death was drowning. She also said she had found no obvious evidence of other trauma. WURSTER gave me an Orange County Coroner's case number of 96-01341.

was treated at the scene by paramedics Don CONE and Steve TAYLOR. was transported to Huntington Beach Medical Center by ambulance 42.

Ladid no further investigation.

Officer D. MARTIN

PIN 1046

Supervisor

Page 4

Date

2-2494

TYPED BY: P. BROWN /420805 HBPD FORM OFFENSE (rev. 12/91)

96-004443/1 printed on 02/26/96 at 16:19

FIRE REPORT NUMBER 603053-00

Fire Investigator name/city ...:

PRINTED ON 03/20/96 AT 12:51

Multi Agency Incident Number: HTB-96-603053 Incident Date : 02/25/96 Dispatch Time : 20:11:17 Arrival Time : 20:14:52 End Time : 21:35:43 Number of Days : 0 Pirst In Company : HME48 District : HB	
Types of Situations Found 1	
Automatic or Mutual Aid: 8 Method of Alarm: 7 Type of Weather: 1 Air Temperature: 1 PRIVATE TAX-PAYING PROPERT	
Incident Location Information Location	
Total Fire Service Personnel Responded Career: 6 Volunteer: 0	
Total Fire Apparatus Responded Engine: 0 Truck: 0 Rescue/Medical: 0 Other: 2	
Reporting Officer personnel .: 0083 FREEMAN SCOTT B. Reporting Officer unit : HME48 Officer in Charge if Diff:	

183

PIRE REPORT NUMBER 603053-00 PRINTED ON 03/20/96 AT 12:51 Incident Owner/Resident/Other Information - Person 1 Person Type Code: Name:: Telephone: Street:: City:: State/Zip: Incident Owner/Resident/Other Information - Person 2 Person Type Code: Name:: Telephone: Street:: city:: State/2ip: Incident Property Information General Property Use: 41 1 OR 2 PAMILY RESIDENTIAL USE Specific Property Use: 411 ONE-PANTLY RESIDENCE, YEAR-ROUND USE Building Code Occ Type: Structure Type: Structure Status: Occupied at Incident Time . :... Mobile Property Involved Property Type: 98 HOBILE PROPERTY NOT APPLICABLE Vehicle License No.: Vehicle Lic State Year: Make::

Model:

D.O.T. ::

Vehicle ID number ::

Drivers License #/State ...:

960 228 eNE 6001

FIRE REPORT NUMBER 603053-00

PRINTED ON 03/20/96 AT 12:51

960 228 CWE 6001

Fire Service Casualty Number of Injuries Number of Fatalities		
Non-Fire Service Casualty Number of Injuries Number of Fatalities		
Other Types of Action Taken 1 2 3 4	:	PROVIDE EMERGENCY MEDICAL SER TRANSPORT
Special Studies Local 1/2/3/4Special Studies Statewide	:	

FIRE REPORT NUMBER 603053-00

PRINTED ON 03/20/96 AT 12:51

ENS INFORMATION

Number of Patients	: 1	
Highest Level of Care Capable	e/Provide	d at the Scene
Fire Capable	: 6	ADVANCE LIFE SUPPORT
Pire Provided	: 6	ADVANCE LIFE SUPPORT
Other Capable	:	
Other Provided		
E.M.S. Type of Situation Pou	nd	
1		DROWNING
2	:	
3		
4		
Number of Patients Transport	ed By	
Fire Department		
Private Ambulance		
Coroner		

960228 CWEGOOI

PIRE REPORT NUMBER 603053-00 PRINTED ON 03/20/96 AT 12:51 UNIT TYPE DISPATCH RESPOND ON-SCENE TRANSPORT AT HOSP. AVAILALE

20:11:54 20:11:17 HME48 N

20:49:27

HA42 HA 20:11:18 20:11:57 20:16:47 21:35:43

Complainant phone: 8403164 20:11:02

Response area: 155 20:11:02 DROWNING (CEK) 20:11:08

CPR IN PROGRESS (CEK) 20:11:49

12 YR FEMALE POUND IN JACUZZI (CEK) 20:13:09

PD ON SCENE (CEX) 20:13:12

B6 HBMC (NRF) 20:18:28

*** Original Location: 4952 MAUI CR

***Notes Added 02/25/96 On Port 214 at 21:49 by FREEMAN SCOTT B. PATIENT FOUND UNCONSCIOUS IN JACUZZI. SHE WAS PULLED OUT AND CPR WAS STARTED BY HBPD, ALS PROTOCOL WAS FOLLOWED AND PATIENT WAS TRANSPORTED TO

***Notes Added 02/29/96 On Port 214 at 09:27 by FREEMAN SCOTT B.

***Notes Added 02/29/96 On Port 214 at 10:10 by FREENAN SCOTT B.

ON PEB 25, 1996 AT 2011 HRS HNEAR RESPONDED TO A POSSIBLE DROWNING AND

THE RESIDENCE TO THE RESIDENCE TO PIND TWO HBPD OFFICERS PERFORMING CPR ON A 12 Y/O GIRL. WE WERE INFORMED BY THE PANILY THAT SHE WAS PULLED FROM A JACUZZI AFTER THEY FOUND HER UNCONSCIOUS

AT THE BOTTON OF THE SPA. THE GIRLS PATHER STATED THAT HER HAIR WAS CAUGHT IN

THE JACUZEI DRAIN AND THEY WERE FORCED TO CUT IT SO THEY COULD REMOVE HER. IT WAS ESTIMATED THAT SHE COULD HAVE BEEN IN THE SPA FOR 15 TO 30 HINUTES. HMEAS PERFORMED ALL PARAMEDIC ALS PROCEDURES IN AN ATTEMPT TO REVIVE HER.

WAS TRANSPORTED TO HEMC VIA HA42 WITH PARAMEDICS. SHE WAS PRONOUNCED DEAD AT THE HOSPITAL BY THE E.R. DOCTOR. NOTE: DUE TO THE FAMILY SCREAMING AT US UPON OUR ARRIVAL OUR AT SCENE BUTTON WAS NOT PUSHED. IT WAS DETERMINED FROM OUR PRE HOSPITAL MIC FORM THAT OUR ARRIVAL TIME WAS 20:15. POUR MINUTES AFTER

THE INITIAL DISPATCE. THE SCENE WAS RELEASED TO HEPD FOR INVESTIGATION. CAPT. SCOTT FREEMAN

960228 CWE 6001

	960228CWE6001
CEILE MEDICUL DRANGE COUNTE	
MCIDENT NOMBER	CAREREPORT SERVICES
	CAREREPORTS
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Fire Department Pre-Hospital Medical Supplies

BH YEAR MONTH DAY RUN PT	160228 CWELGO1					
Ц- GG - OЗ- 25- 114- L	UNITS					
PATIENT NAME (FIRST) (LAST) 603053 INCIDENT NUMBER	ENGINES TRUCKS AMB HME-41 HME-47 HQ-42 HA-41 HME-42 HME-48 HQ-45 HA-42 HME-43 HE-241 VQ-31 HA-45 HME-44 VME-31 HME-45 VME-32					
COMPLETED BY: (PRINT NAME) (PIN)						

QTY	COD	DESCRIPTION	QTY	COD	DESCRIPTION	QTY	COD	DESCRIPTION
		AIRWAYS			SPLINTS			DRESSINGS
	100	AIRWAY, EOA		200	SPLINT, ARM		500	ABD PAOS
<u> </u>	102	AIRWAY, NASAL SIZE: 32		201	SPLINT, LEG		501	TRAUMA DRESSINGS
	103	AIRWAY, ORAL SIZE:		202	SPLINT, WRIST		502	BURN PACK
	104	BULB ASPIRATOR		203	TRIANGULAR BANDAGE		503	COLD PACK LARGE
	105	CARTRIDGE, V-VAC		204	STIFFNECK COLLAR SIZE:		504	COLD PACK SMALL
7	106	AMBU BAG		205	HEAD BED		505	KERLIX, ROLL
1	107	ET. TUBE HOLDER					506	COBAN, ROLL
1	108	ET. TUBE SIZE: (7.0) 7.5 8.0					507	GLOVES, EXAM - PAIRS
	109	LARYNG. BLADE SIZE: 3			I.V. SUPPLIES	21	508	GLOVES EP - PAIRS
		CURVED OR STRAIGHT		300	ARMBOARD, LONG			
	110	NEBULIZER		301	ARMBOARD, SHORT			
	111	NG TUBE SIZE:		302	CHEM STRIP			· · · · · · · · · · · · · · · · · · ·
	112	O2 CANNULA ADULT	2	7	IV CATHETER:			MEDICATIONS
	113	O2 MASK ADULT		303	14 GA		600	ADENOSINE 6 mg VIAL
	114	O2 MASK PEDS		304	16 GA		601	ALBUTEROL
	115	SUCTION CATHETER		305	18 GA		602	AMMONIA INHALENT
	116	SUCTION CONT. (PRO-VAC)	2	306	20 GA		603	ATROPINE VIAL1 mg/cc
1	117	SUCTION CONT. (AMB)		307	22 GA	7	604	ATROPINE SYR 1 mg/10cc
	118	SUCTION TUBING		308	BUTTERFLY SIZE:		605	BENADRYL 50 mg VIAL
7	119	SUCTION YANKAUER		309	SALINE LOCK		606	BRETYLIUM 500 mg
			\	310	TOURNIQUET		607	DEXTROSE 50% SYR
				311	TRANSPARENT DRESSING		608	DOPAMINE 400 mg
		MISC. SUPPLIES	\Box	312	SHARPS CONTAINER		609	EPI 1:1000 1∞ AMP
	900	DISPOSABLE BLANKET	7.	313	SYRINGE SIZE: 1000	7	610	EPI 1:1000 30cc VIAL
	901	DISPOSABLE RAZOR		314	NEEDLES SIZE:	2	611	EPI 1:10,000 10cc SYR
	902	ELECTRODES, ADULT					612	GLUCAGON 1 mg
7	903	ELECTRODES, PEDS					613	GLUCOSE SOLUTION 10 floz
	904	EMESIS BASIN 500cc					614	IPECAC
	905	WASH BASIN 6 LITER			SOLUTIONS & TUBING		615	LASIX 40 mg
	906	FACESHIELD		400	IRRIGATION, H2O		616	LASIX 100 mg
	907	ОВ КІТ		401	NORMAL SALINE 10∞ VIAL		617	LIDOCAINE 100 mg
	908	THERMOMETER, CRYSTALLINE		402	MICRO TUBING		618	MORPHINE 10 mg SYR
	909	THERMOMETER, GLASS		403	NORMAL SALINE 250 €		619	MORPHINE 10 mg VIAL
	910	UNIVERSAL PRECAUTIONS KIT	T	404	MACRO TUBING		620	NARCAN
	912	SPILL KIT		405	NORMAL SALINE 1000cc		621	NITROGLYCERINE SPRAY
							622	SODIUM BICARB 50 mEq
							623	VALIUM 10 mg
<u> </u>	L							

ORANGE COUNTY SHERIFF-CORONER 1071 W. SANTA ANA BLVD. SANTA ANA, CA 92703

ECHIBITE K73 76027806600i

RAD GATES, SHERIFF-CORONER

CASE SUMMARY

DECEDENT:

CASE NO.: 96-01341-WU

PD: HBPD DR: 96-04443

RESIDENCE:

DOB: 06-22-83

STATE: TX 77080

CITY: AGE:

12 years

RACE: White

SEX: Female

OCCUPATION:

RELATIVES: ADDRESS: CITY/STATE: Student Father:

CLASSIFICATION: Accident

SUBCLASS CODE: MECAP

DATE OF DEATH: TIME OF DEATH:

02-25-96 2043 hrs. DATE OF INJURY: 02-25-96 TIME OF INJURY: Unknown hrs.

Huntington Beach Medical Center

PLACE OF DEATH: ADDRESS:

17772 Beach Blvd.

CITY:

Huntington Beach, CA 92647

INJURY MODE:

INJURY TYPE:

Drowning/spa/private residence Private residence/backyard spa

INJURY SITE: INJURY ADDRESS

INJURY CITY:

ADMITTED FROM:

ADDRESS:

Private residence

CITY:

CAUSE OF DEATH: Fresh water drowning

OTHER COND.:

None

INVESTIGATOR:

CHRISTY L. WURSTER

PATHOLOGIST:

Joseph J. Halka, M.D.

AUTOPSY DATE:

02-26-96

TOX RETURNED: 03-14-96 MICRO RETURNED:

DRUGS FOUND PRESENT IN SIGNIFICANT LEVELS:

B/A LEVEL

0.00%

BENZOYLECGONINE

N N

DATE CERTIFICATE ISSUED:

02-26-96

COCAINE MORPHINE CODEINE

N

DATE CERTIFICATE AMENDED:

CE

N N

N

METHAMPHETAMINE

OTHER DRUGS N POISON N

Draw your own conclusions.

THE MARIAH AIR PUMP:

a new direction for blowers.

Hydro Air Industries—the new idea company—is making history with the revolutionary Mariah Air Pump, today's standard of excellence. It's not just another air blower, but the first air pump with a self-cooling bypass motor that eliminates overheating and water damage, and permits trouble-free performance year after year.

Developed specially for spas and hot tubs, the Mariah's unique motor design provides the industry with a new measure of safety, and an end to

r warranty problems. Universal intion of the unit (side or bottom c. ...ts) requires plumbing connections of only 1½."

If you've put up with blower problems long enough, you're ready for the Mariah Air Pump. For details, contact us at Hydro Air Industries—the new idea company.

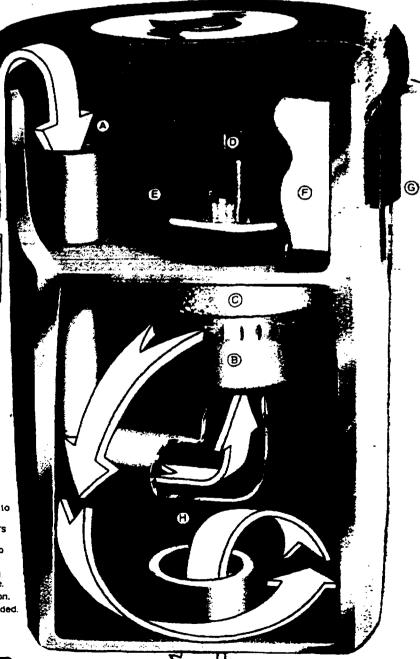
A. Air is drawn in under the lid and down the air intake tube, rather than over an electric motor as in conventional blower designs. Overheating is eliminated.

- B. With the Mariak's peripheral discharge design, air from the intake tube is pumped through the impellers (stages) and released out the louvered side of the unit.
 - C. The gasket seal is watertight.
- D. The Mariah incorporates the first air pump motor designed specifically for the spathot tub industry. The electrical component is safely located in the upper level to prevent water damage and the possibility of electrical shock in the event condensation or water backflow enters the air chamber. The motor has its own cooling system, unlike conventional units which depend on the air flow to retard overheating.
- E. Thermal overload protection prevents overhealing or damage to the unit during long runs and extended use.
 - F. Acoustical foam insulation ensures quiet operation.
 - G. Junction box, switch, and clear Lexan cover Included.
 - H. Side installation option.

THE NEW IDEA COMPANY





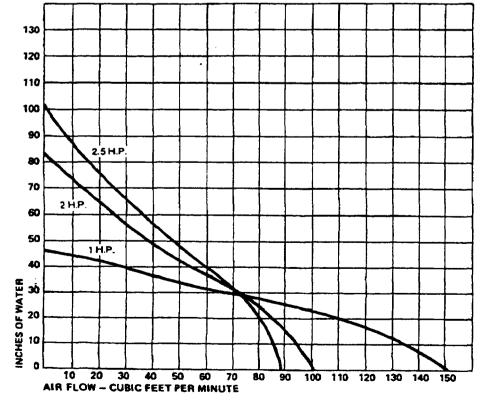


MARIAH AIR PUMP SIZING CHART

MODEL NO.	STAGES	VOLTS	MAX. AMPS	MAX. PSI	MAX. CFM	WATER DEPTH	FLOOR HOLES@3/16"	-OR-	FLOOR HOLES@1/8"	SEAT HOLES@1/8"	NO. VENTURI'S
12-1201	1	120	7.2	2.3	153	24"	18		16	35	4-6
12-2401	1	240	3.8	2.3	144	30''	15		13	27	4-6
12-1202	2	120	9.1	4.1	105	24"	30		45	45	6-10
						30	26		39	40	6-10
12-2402	2	240	4.1	4.1	97	36"	22		33	36	5-10
						48"	19		27	32	6-10
12-1203	3	120	9.8	4.8	90	24"	33		50	50	8-12
						30,	29		43	44	8-12
12-2403	3	240	4.3	4.8	86	36"	25		36	40	8-12
						46"	21		30	35	8-12

- 1) CALCULATIONS ARE FOR A 25' RUN USING 1½" PVC PIPE AND TWO (2) NINETY DEGREE ANGLES. FOR LONGER RUNS, DECREASE QUANTITY BY 10% FOR EACH ADDITIONAL TEN FEET AND 5% FOR EACH ADDITIONAL NINETY DEGREE ANGLE.
- 2) FOR INCREASED ACTION OR IF MORE HOLES THAN LISTED ARE DRILLED, IT MAY BE NECESSARY TO USE TWO AIR PUMPS.
- 3) CALCULATE DEPTH OF WATER TO HIGHEST LEVEL IN SPA.
- 4) IF FEWER HOLES THAN LISTED ARE DRILLED, THE AIR PUMP WILL STILL FUNCTION AS LONG AS A MINIMUM OF 20 3/16" HOLES ARE DRILLED IN THE FLOOR OR SEAT.

MARIAH 120/240 VOLT RESIDENTIAL AIR PUMP FLOW CHART



AIR PUMP USAGE

- 1 H.P. As an air boost for six (6) jets or for air induction on spas/hot tubs less than 30" deep and 5' x 5' or 25 square feet of surface area.
- 2 H.P. As an air boost for six (6) to eight (8) jets or for air induction on spas/hot tubs less than 50" deep and 8' x 8' or 70 square feet of surface area.
- 2.5 H.P As an air boost for eight (8) to ten (10) jets or for air induction on spas/hot tubs less than 60" deep and 10' x 10' or 100 square feet of surface area.

^{*}NOTE: If the air line consists of more than thirty five (35) lineal feet of pipe, a larger size air pump should be used.

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Exhibit #7 8 65 3/21/8 960 TE 800-6001 lice

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received the Pons. .. Distinguished Service Medal

Schoen, 31, was honored for catching a fleeing suspect who allegedly fired a handgun at another officer but failed to hit him.

Officers learned later that the suspect was a perolee who had been involved in a gun battle with Los Angeles County sheriff a deputies in 1990.

Rudisil, 29, and Hunter, 29, were honored for their efforts in breaking up a ring of robbers who stole from pizza delivery people. Posing as pizza deliverymen, the officers were dispatched to a residence in the 200 block of West Valencia Drive, where they were confronted by two men who tried to rob them and fired several gun shota at RudisiL

The two officers, who were not injured, returned fire. The suspects fled but later were arrested.

Polis, 33, was praised for his efforts, both on and off duty, in presenting training programs for fellow officers and the Special Weapons and Tactics (SWAT) Team.

COUNTYWIDE

Cypress College Cites Couple for Generosity

Business owners Lew and Margaret Webb are Cypress College's Americana Man and Woman of the Year.

The Webbs, who operate eight car dealerships in **Orange and Los Angeles** counties, were honored by the college for their work in several service organizations and for their financial support of community groups.

Recipients of the Laguna Hills couple's generosity include the American Cancer Society, St. Mary Medical Center Foundation, Casa Youth Sheller and Mission Hills Church.

SY MINI NO CHLIZ

Northwest

HUNTINGTON BEACH 760728 CWEGODI

Spa Warnings Reiterated Following Girl's Drowning

The weekend drowning of a 12-year-old girl whose hair got sucked into the vent of a hot tub has prompted renewed warnings about the dangers of spas, especially the older single intaketype built before the enactment of safety codes.

"I've seen several of these [accidents] and every one of them happened in an old-style spa," Donald Boland, a spokesman for the Huntington Beach Fire Department/said Monday of the drowning of

"You remember every one of these; it's not like a car accident. These are the things that stick in your mind."

The accident occurred Sunday night at the home of

where she and her parents were visiting from their home in Houston.

The girl was in the spa alone about 8 p.m., Boland said, when her hair was apparently sucked into an intake valve, and she was pulled underwater.

By the time relatives had cut her hair to free her, the fireman said, she had lost consciousness. She later died at a hospital.

The incident closely resembled

another in Villa Park just seven months ago that nearly took the life of the 6-year-old son of playe former

In that case, however, was able to save the boy's life by wrenching him free of the drain, which left a 10-inch-diameter bruise on the youngster's

The drowning of a 9-year-old boy in 1976 prompted county officials to begin requiring two vents rather than one in all spas built in unincorporated areas. Designing spas with two vents, said Larry Nees, manager of building inspections for Orange County, significantly decreases the amount of suction in each

The county also began requiring that vents be covered and constructed in a manner designed to prevent hair or body parts from being pulled in.

Huntington Beach, where Sunday's drowning occurred, eventually adopted similar standards, said Bill Grove, the city's inspection manager, but not in time to affect construction of the spa in which Sunday's accident occurred.

-DAVID HALDANE

Spa Safety

Here are some precautions to keep in mind if you own a spa:

- Avoid problems with a single drain by installing a second one to disperse suction.
- Install safety dome on flat drains.
- Instruct anyone with long hair not to get it near a drain, and tell anyone who uses your spa not to stick fingers, toes or other body parts into drain.
- Place power switch nearby so it can be reached quickly in case of emergency.
- N your spa is indoors, lock the door to the room or use a cover that locks.
- Closely supervise children, even if they know how to swim.
- If you are concerned about a spa's safety, check with a building inspector.
- For more information, call the Orange County chapter of the National Spa and Pool Institute, (714) 832-1113.

Sources: National Spe and Pool Institute; Children's Hospital of Grange County

960228cue 600/ PRICE 413 3/21/96

PHOTO CENTER
THE VALUE IN
PHOTOPROCESSING!

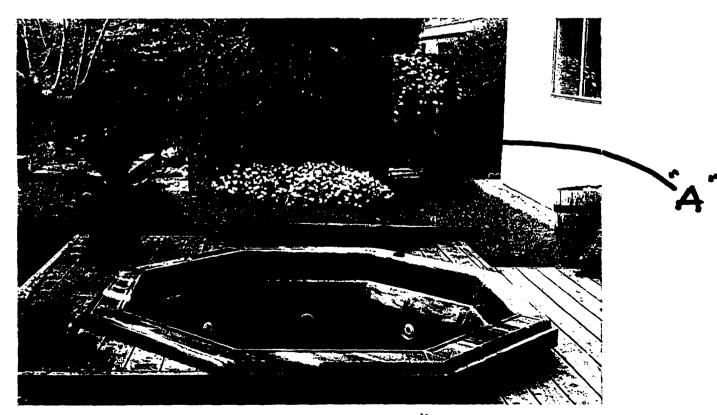
Carrier .

REPRINTS

- ENLARGEMENTS
- JUMBO 4 X 6 PRINTS
- EXTRA PRINTS AT TIME OF DEVELOPING

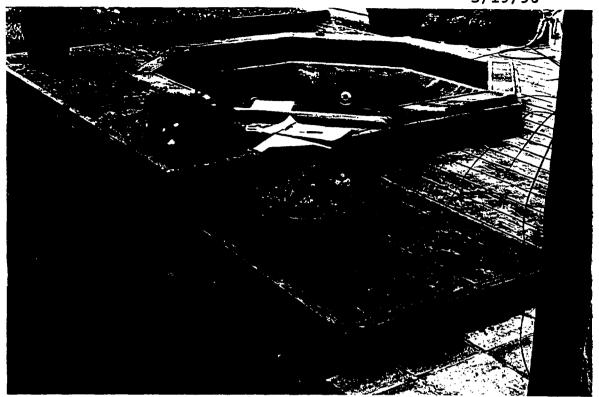


PHOTOTI, BACKYATED STA-



#2, SPA IN WOODAN DECK. "A" IS FENCE NECEND
EQUIPMENT ATTEN.

Exhibit #8 960228CWE6001 3/19/96



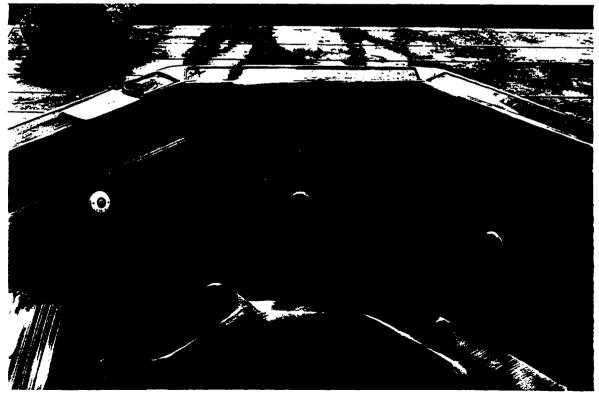
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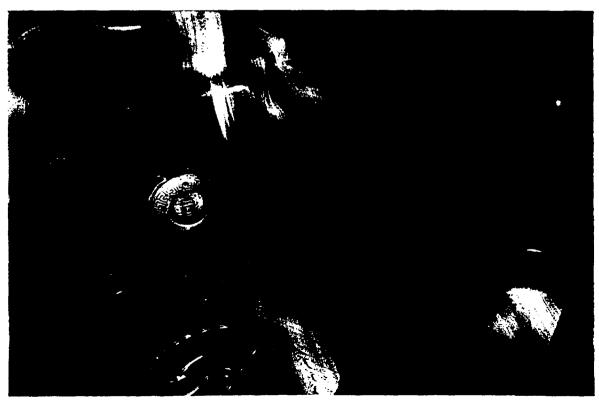
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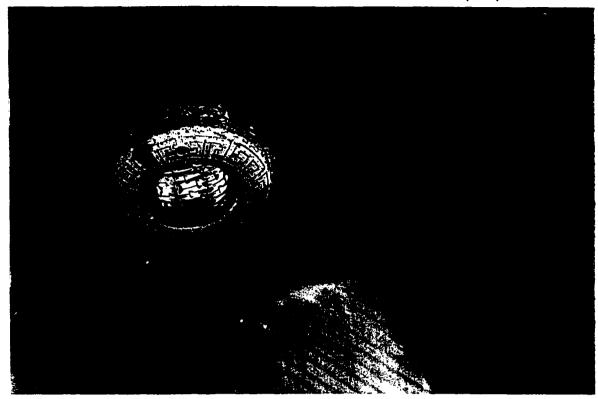
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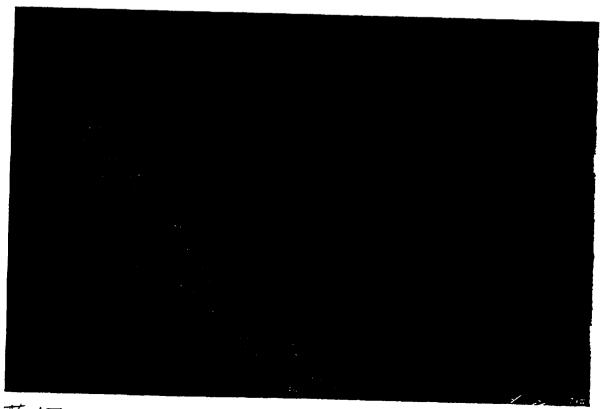
9 STOPS LEADING INTO STA. "C" IS



IIIO, SUCTION HOLE (WITHOUT COUPM) &



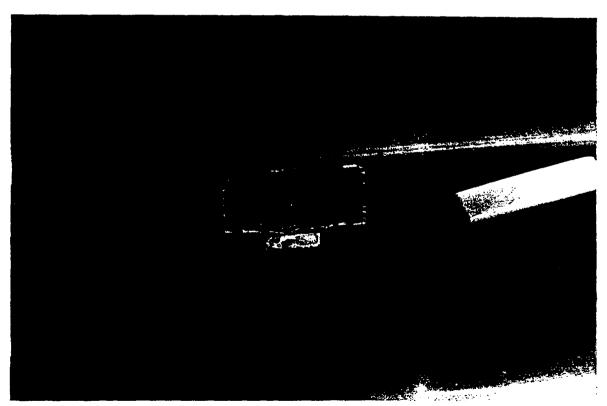
#11, CLOSE OF EF LIGHT AND Scettori HOLE.



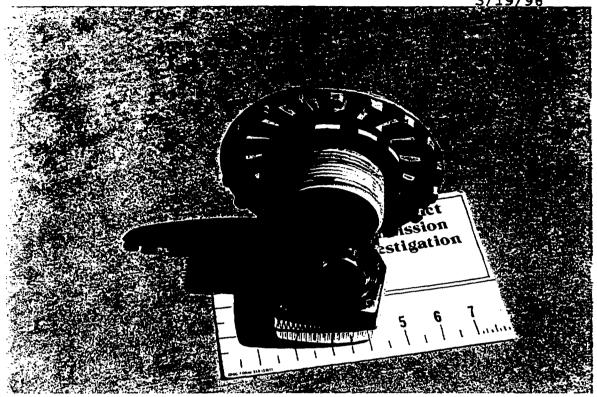
OF STA.



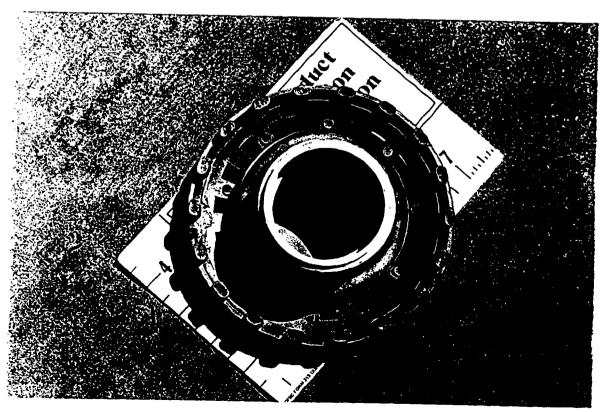
II 13, WATCHING (CACTION) LATRE LOCATED HEAR TOT STEP.



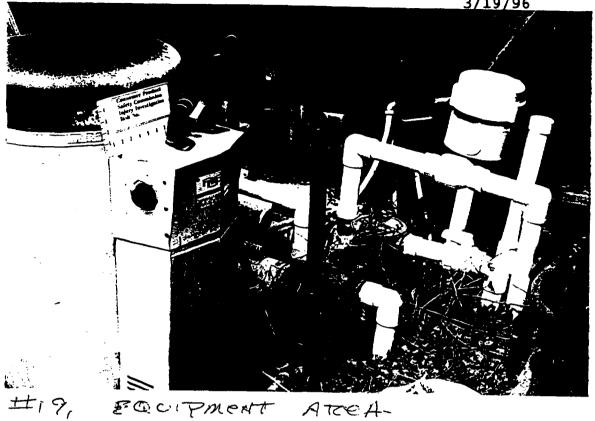
14, LABOL LOCATED HERE TOP STEP.

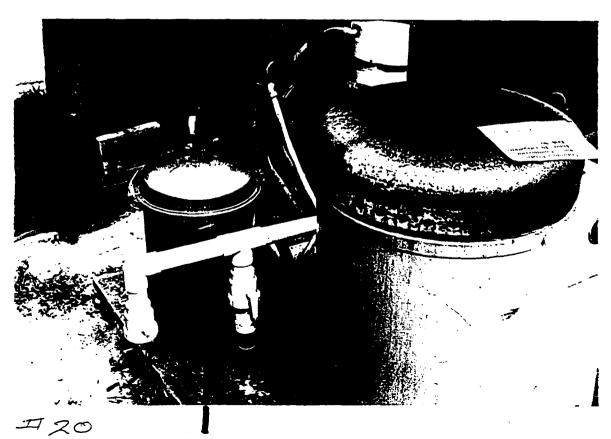


IT SUCTION COUPT, SIDE-

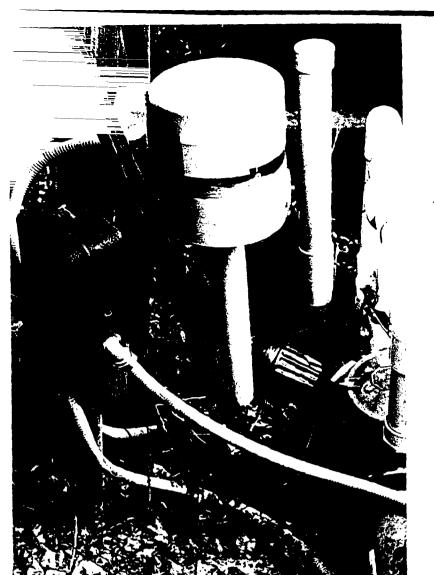


#18, Scotnell CONPIT, BETTOM.





FILTER



#21



D" = HEATER, "E" = FILTER PUNIP, 203 IZZ



23, "G" = BLOWER

"H" = FILTER PEINT

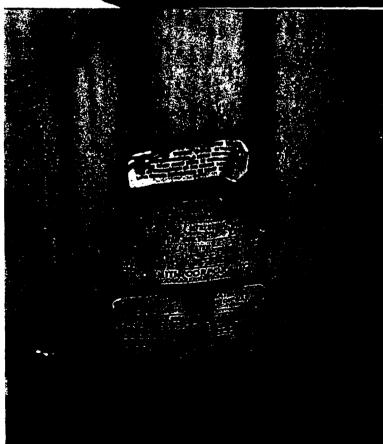
I = FILTER



#24. Jet motor.

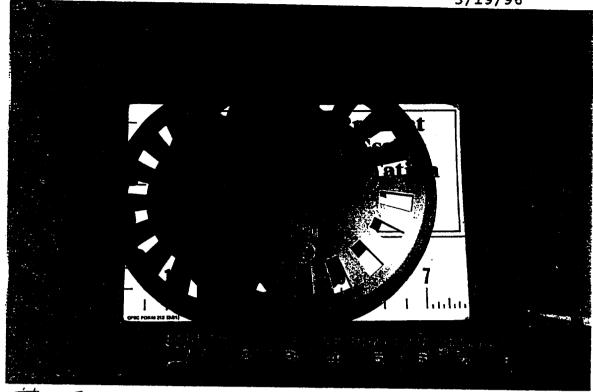
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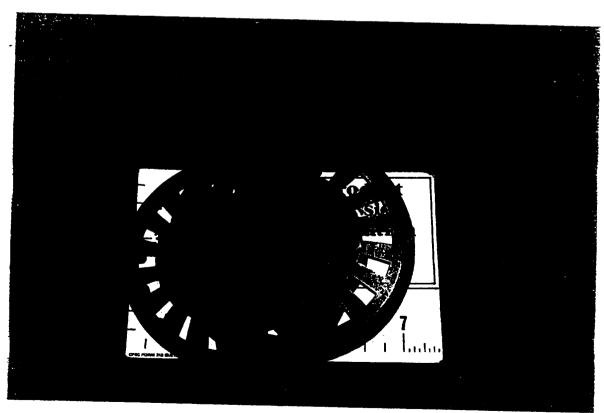


IT 25, HEATER HAME PLATE-

#26, HEATER ID PLATE



#15 SUCTION COUPE, TOTE



III6, SUETION COUPE, TOP.

TO

Feb-27-96 12:40P Product Safety

Older spa culprit in death of girl, 12

ACCIDENT: The tub apparently lacked safety devices that could have prevented her drowning.

By CAROL MASCIOLA
The Orange County Register

HUNTINGTON BEACH

12, went outside alone to use her grandparents' spa Sunday night and lost
her life when her hair was sucked
into a drain in the bottom of the
tub.

The day after the accident, authorities and spa sellers warned people to destroy or upgrade older spas. A spa should have more than one drain, to diffuse the suction, and each of the drains should be capped with an "anti-voltan" close to present hair voltan body parts from being trapped.

rrapped.
"It's very, very rare for something like that to happen." said Joe Chandler, owner of Chandler's Pool and Spa Repair in Tustin. "It's just a matter of putting on the right drain cover. Of course, anytime there's a kid in the water, somebody should be supervising."

Firefighters said

Houston, Texas, was given permission to use the spa sometime before 8 p.m. Sunday. After about 20 minutes, family members, including the girl's father, noticed that the spa was operating but the spa was operating but the spa was nowhere to be seen. Her mother was not present.

When they went outside, family members discovered that was pinned to the bottom of the spa by her hair. They tried to pull her out but had to cut her hair to free her, police said.

"You can imagine the terror that was going on when the poar child was on the bottom of the (spa) and they couldn't pull her off," said Donald Boissod of the Huntington Beach Fire Department. "It must have been a horrible experience for the whole family."

A neighbor who is a nurse and

1 714 588 5934

P.QZ

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Orange County Register 2/27/96

(2/25/96 SCHONG

SPA

FROM 1

Paramedics arrived at the grandparents' home on Maui Circle within five minutes. They used cardiopulmonary remediation and drug therapy, but were unable to revive the girl. Was pronounced dead Sunday at Huntington Beach Medical Center.

Huntington Beach and the county have enacted laws that require all new spas to have a minimum of two covered drains. But the laws don't apply to older

"There's no rule that you have to go back and retrofit your older spa," said Chi Tran, manager of the county building-permits distsion.

Last July, 6-year-old to the bottom of the spa at his Villa Park home and held under three minutes before his father, former Los Angeles Rams player pulled him out and resuscitated him.

took him three tries to extricate the boy from the drain.

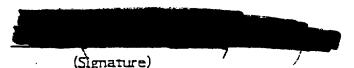
	U. S. CONSUMER PRODUCT SAFETY COMMISSION				
	AUTHORIZATION FOR RELEASE OF NAME				
-·	960 2270 WEGGO				

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

-		You are hereby authorized to disclose my name and address with the information collected on this case.
	X	My identity is to remain confidential.



3-21-96

208

(Date)

The American Society Of Mechanical Engineers

Codes and Standards

212 605-3333 212 605-8750 Fax

345 East 47th Street New York, NY 10017-2392

COMMITTEE CORRESPONDENCE

February 2, 1996

Judith Hayes (Via Fax) **CPSC** Compliance 4330 East West Highway Bethesda, Md. 20814-4408 Cox 714-228-0465. Never bours

Dear Judy,

At the A112.19.7 & working Group meetings in July, 1995 there was discussion of getting input for revising the form used by CPSC for In Depth Investigations, from the Working Group.

The compilation of the responses / suggestions for changes and additions follows below. All of the requests made will yield more meaningful information about incidents involving Suction Covers. Please review the suggestions and let us know what you will incorporate in the IDI Form.

1. Get additional information about the pump.

A. Original or changed?

B. Rating

Horse Power

Horse Power

- - - Horse Power
 - Volts 220 V
 - Amps
 - Manufacturer and Model Number
 - C. What type of pump was originally specified by Whirlpool or Spa manufacturer?
 - Horse Power
 - Volts -
 - Amps
 - Manufacturer and Model Number
- System Information 2.
 - Number of Jets and the name of the Jet Manufacturer.

Tieto production production of a delper

* What is the diameter of the interior orifice of the jet.

B. Number of suction fittings and the name of the Manufacturer of the Suction Fitting.

* Are Suction Covers secured properly

* Was Suction Cover Damaged or tampered with prior to accident?

* What is Listed Rating of Suction Cover?

* Does it match system flow?

*** Perform in field flow test

List all markings on Suction Cover / Fitting

The quantity of holes on the suction cover.

* The diameter of the holes on the suction cover

C. Was circulation system installed by manufacturer of bathing vessel or was it installed by an independent jetter.

D. Is the Spa / Whirlpool in question Listed by any Testing Agencies? List all shown on unit.

E. Do any of the components of the system in question appear to have been tampered with? If yes, list component and sign / indication of tampering.

3. Hair

- A. What is length in inches of hair sample in question?
 - * Free Length
 - Length from scalp
- B. What is hair type or grade (Color; Thick or Fine, Straight or Curly)
- C. What is diameter of single hair strand involved in accident?
- D. How much hair was entrapped / entangled (weight in ounces)
- E. How was hair worn
 - * Loose
 - * Braid
 - * Pony Tail
 - * Other (describe)
- 4. Electric Shock
 - A. Were there any other electrical devices within reach of the vessel in question?

Sincerely,

David Allen

c: All Members Working Groups A112.19.7 & A112.19.8

210

Trine

FIELD ACTIVITY COVERSHEET								
1. REGION/STATE	1. REGION/STATE 2. OPERATION (Check One) (X) Inspection () Establishment Visit () Telephone Contact () Investigation () Other							
FOEK								
5. ESTABLISHMENT Name: Baker Manufacturing Corp. Address: 4300 - D L. B. McLeod Rd. City: Orlando State: FL Zip: 32811 Telephone: (407) 649-3571								
6. RELATED FIRM () Parent () Headquarters () Subsidiary (X) Other Name: [] City: [] State: [] AKA Spillway Spas-Same Address								
7. PRODUCTS COVE Spas	ERED	8. OTHER CONSUMER PRODUCTS Hot Tubs						
9. ESTABLISHMENT (X) Manufac	*	10. ANNUAL PRODUCTION						
() Wholesa () Retailer	. , ,	Product Covered \$ 1.5 Mil Units: 800						
() Other:	()	Other Products \$	xxx. Units:					
11. I.S. BUSINESS % Received 50 %Shipped 10	12. SAMPLES COLLECT None	TED	13. MIS CODE 32626	14. HOURS Activity <u>6</u> Travel <u>2</u>				
15. REASON FOR ACTIVITY (Assignment Reference) F/U to IDI940627CAA1585 incident of near drowning by 10 year old female as her waist length hair became entangled in the bottom drain as she attempted to do a hand stand.								
16. ANNOUNCED () Rationale for Announced Inspection UNANNOUNCED (X)								
17. EMPLOYEE'S NA Edward J. Mor		TITLE Investigator	SIGNATURE	PLABEY				
18. () ENDORSEMENT () REMARKS (X) SUMMARY () OTHER [
Inspection revealed that firm has been manufacturing product fspa hot tube since 1977, and using the drains purchased from Hydro Air Industries since 1980. Prior to incident that warranted this inspection, the firm has had not complaints of injuries or deaths ren their spas hot tubs. MFR/PRVLER NOTIFIED MM 8/26/99 MFR/PRVLER NOTIFIED MM 8/26/99 MO Comments made								
		MFR/PRVLBR NO	TIFIED AM 8/201.					
			Comments attached Excisions/Revisions	P1				
			Firm has not requested	Ľi				
19. REVIEWER'S NA Bernard L. Cabe		TITLE Supervisory Investigator	SIGNATURE A	CAPELL				
20. REVIEW DATE 8/1/94	21. DISTRIBUTION O		OMP, CERM, ORL-R	P.				

Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

SUMMARY OF FINDINGS:

This limited inspection was performed as a follow-up to an IDI 940627CAA1585 involving where the waist length hair of a 10 year old female became entangled in a bottom drain of a backyard pool/spa as she performed a head stand within the spa. The acrylic spa was manufactured by the subject firm using drains manufactured by Hydro Air Industries Inc., Orange CA.

Inspection disclosed that this firm has been manufacturing spas since 1977, and has been using the Hydro Air drains since 1980. Mr. Ronald K. Norborg, President of the firm stated that prior to this incident, he was not aware of any injuries or deaths attributed to the use of the spas and hot tubs manufactured by this firm. He stated there is no litigation in process.

During the inspection, Mr. Norborg provided instructional information regarding the Model NS-302 Spillway Spa, of the type that was involved in the incident, as well as installation instructions as per provided by Hydro Air Inc. Mr. Norborg also supplied drain assemblies of the Model 10-6200 (bottom drain) and the Model 10-6900 side drain assembly. These assemblies were photographed at the resident office and returned to Mr. Norborg.

Mr. Norborg stated he manufactures approximately 800 Spas and Hot Tubs yearly, his annual volume approximately 1.5 million dollars. He is a wholesaler, selling directly to retailers and installers of spas.

SUMMARY AND TYPE OF BUSINESS:

This firm is a Florida corporation, Mr. Ronald K. Norborg personally holds all of the officer positions in the corporation.

Spas are manufactured pre-plumbed for installation by pool manufacturing companies, when incorporating the spa as an adjunct to the main pool.

The Hot Tubs manufactured here are self contained, preplumbed and pre-wired, intended to be portable and plugged directly into the electrical receptacle.

Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

I presented my credentials and issued a Notice of Inspection to Mr. K. Norborg, he provided the information for this report and provided the two drains for photographing. As the President of the corporation, Mr. Norborg stated he would be the individual most responsible for the overall operation of this business.

COMPLAINT HISTORY:

I have no previous history on this firm.

PRODUCT GUARANTEES & CERTIFICATION:

Mr. Norborg stated he is a member the National Spa & Pool Institute (NSPI) and as such, follows their recommendation for the design and manufacture of Spas and Hot Tubs. Mr. Norborg's stated that to the best of his knowledge, these spas and hot tubs manufactured here are in compliance with NSPI recommendations.

MANUFACTURING OPERATION:

The spas and hot tubs are manufactured at this location.

PRODUCT LABELLING:

Mr. Norborg supplied promotional literature on the Model SW-304 identified as being manufactured by Spillway Spas, 4300 - D L.B. McLeod Rd., Orlando FL. 32811 Phone number (401) 426-7727. The informational sheet shows that this model is a deep octagon model, 78 inches long by 78 inches wide by 33 inches deep. The water volume is approximately 280 gallons with an overflow design and seats six adults. A copy of the brochure is attached as exhibit #1.



Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

In addition Mr. Norborg provided a diagram for the NS-302 showing the spillway, the air channel connection, and the fitting colors as an instructional manual to the spa installers. Please note that on this sheet the side fitting is known as #9, HA slim line side drain. The #12 designation is for a HA 2 inch main drain. This instruction is shown as exhibit 2. Mr. Norborg also provided a copy of the instructional information provided in the Hydro Air 1994 Catalog. The 10-6200 main drain assembly is shown attached as exhibit 3, the 10-6900 slim line suction fitting assembly is shown as exhibit 4. The main drain assembly is designed to be used within the bottom of the pool, while the slim line suction fitting assembly is used in the side of the pool. Please see copies of the actual pool involved in the incident attached to the original indepth investigation. Also obtained were copies of the installation instructions for the 10-6200 main drain. All of this information was obtained from the insert within the valve package. This instruction sheet is attached as exhibit 5.

The instruction sheet for the 10-6900 side drain is attached as exhibit 6.

PRODUCT CODES:

Mr. Norborg stated that all spas and hot tubs are identified with a serial number that is coordinated with the date of manufacturer.

DISTRIBUTION:

Mr. Norborg stated that approximately 80% of the spas and hot tubs manufactured here are distributed within the State of Florida, and an occasional 10% going outside of Florida. He has one Manufacture Representative to promote the sales of these spas and hot tubs. He stated that other than the descriptive literature such as provided during the inspection, he does no other promotions or advertising.

Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

SAMPLES COLLECTED:

No samples were collected, however Mr. Norborg provided both drains for photographing. Both drains were photographed at the Resident Office and returned to Mr. Norborg.

STANDARDS:

I am not aware of any mandatory CPSC Standards, however an NSPI has recommendations for the design and manufacture of spas and hot tubs.

DISCUSSION WITH MANAGEMENT:

I discussed with Mr. Norborg, that the purpose of the inspection was a follow-up to the incident involving a 10 year old female whose hair became entrapped in the bottom drain of a spa manufactured by his firm and installed as part of a pool/spa complex by an outside, independent pool manufacturer.

Mr. Norborg was aware of the incident, and stated he had spoken directly with the installer. They both came to the conclusion that the spa was not at fault, but was misused by the 10 year old female who performed a hand stand directly over the bottom drain, thus allowing her waist length hair to become entangled in the bottom suction drain. Both of the installer, and the spa manufacture feel that the design of the spa is safe when used as intended, for sit down relaxation. Mr. Norborg was aware that Hydro Air, the manufacture of the bottom drain had also been informed of the incident by the pool installer.

I had a question on the installation of the #10-6900 Slim Line suction fitting assembly that was installed in the side of the pool area. I noted that the instruction sheet, exhibit 2, shows that this assembly is adding water to the pool, however the installer stated that this side assembly was actually a second drain, the first drain being the main bottom drain.

5

Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

Mr. Norborg stated the spa is designed to have only the one, main bottom drain and is intended to be installed as such. However, Mr. Norborg stated that due to the design of the spa, and the various fittings, it would be possible to make the side fitting either an inlet or outlet depending on the plumbing, and the number of pumps involved. In the aforementioned installation, there was a separate 1 1/2 horsepower pump serving the spa, with a separate 1 horsepower pump serving the main drain. I informed Mr. Norborg that the spa owner stated that the side fitting pumping water into the spa, while the installer stated the side fitting was actually taking water out of the spa.

Mr. Norborg telephoned the installer during the inspection, and asked him if the side fitting was an input or output fixture. The installer stated, that to the best of his knowledge, the side fixture was a second drain, in addition to the main drain. The installer had told me previously that they prefer to plumb the spas so that there are two suction drains. During the telephone conversation, it became clear that the installer was not sure whether the side drain was an inlet or outlet. Please note, that the spa owner stated the side fixture was adding water to the spa, the installer stated the side fixture was removing water from the spa, and the spa manufacturer stated that the side fitting was designed to add water to the pool.

The pool installer stated he will personally visit the homeowner and determine if the side fixture is adding or subtracting water from the spa and so inform me. This information, when provided will be supplemented to this report.

Baker Manufacturing Corp. 4300 - D L.B. McLeod Rd. Orlando, FL. 32811 94027CAA1585-J 7/6/94 EJM

EXHIBITS:

The following exhibits are attached to this report:

- 1. Informational material on the Spillway Spa Model # SW-302. Note the photograph in the lower right hand corner of the brochure is very similar to the set-up at the accident site.
- 2. Instructional material covering the MS-302-Fitting Color showing the various inlets and outlets involved in the installation of this spa.
- 3. Photostat of the Hydro Air 1994 Catalog depicting the Model 10-6200 Main Drain assembly used in the bottom of the Spa.
- 4. Photostat from the 1994 Hydro Air Catalog depicting the Model 10-6900 Slim Line Suction Fitting assembly. This assembly was installed on the side of the pool and there is some discussion as to whether this was a power or suction fitting.
- 5. Package insert with the #10-6200 Main Drain Package
- 6. Package insert for the #10-6900 Suction Fitting Installation instructions.
- 7. Photographs of the above mentioned two fittings.

Also attached to this report is a copy of the Notice of Inspection.

Edward J. Morganto, Resident Investigator ORL/ Res. Off.

EJM/ph

Model SW-302

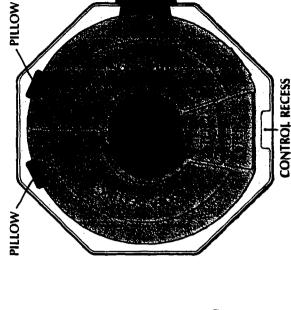
Sit back, relax and enjoy the luxuriously designed continuous ciousness, this spa allows you to share refreshing moments and conversation with as many as five adults. The smooth circular design offers you and your guests equally comfortable seating arrangements including glove soft pillow headrests. A spa where every position provides the perfect combination of seating offered in this SPILLWAY spa. Thanks to its spanatural relaxation and comfort.

Water Volume Approximately 280 Gallons 78" L x 78" W x 33" Deep Octagon Overflow Design Velvet 2" Air (Channel) Jet System Bi-Level Continuous Sofa Contours Slip Resistant Steps & Bottom 2 Recessed Pillows Seats 6 Adults

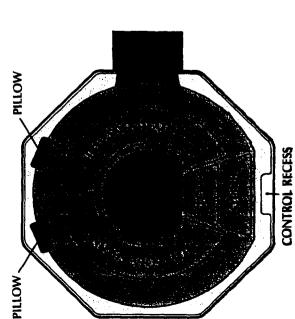
Model SW-304

accommodate up to eight adults, this spacious spa is often the soft pillows provide a comfortable headrest. You'll create a whole new lifestyle - a naturally healthy style - in this The simplicity and elegance of this SPILLWAY spa add to the spectacular feeling that comes naturally from using it. Able to seating enhances your pleasure by providing smooth sofa contours on one side, relaxing lounge contours on the other. Glove "people's choice" as an entertainment center. Unique dual SPILLWAY spa.

Water Volume Approximately 400 Gallons 90" L x 90" W x 34" Deep Octagon Velvet 2" Air (Channel) Jet System Slip Resistant Steps & Bottom Continuous Lounge Contour Continuous Sofa Contour 2 Recessed Pillows Overflow Design Seats 8 Adults

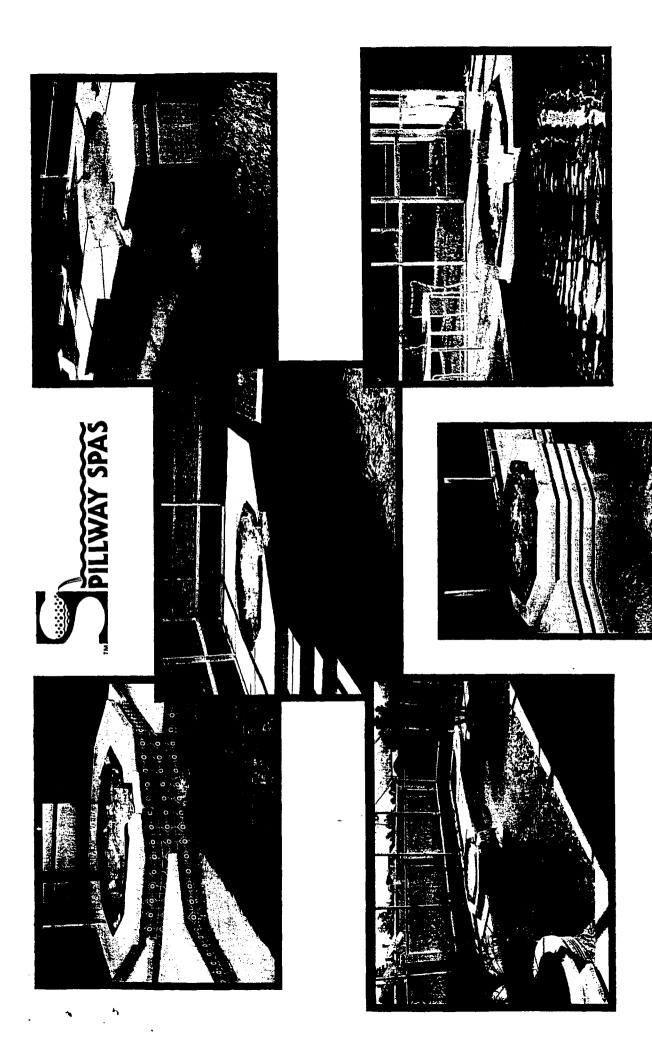




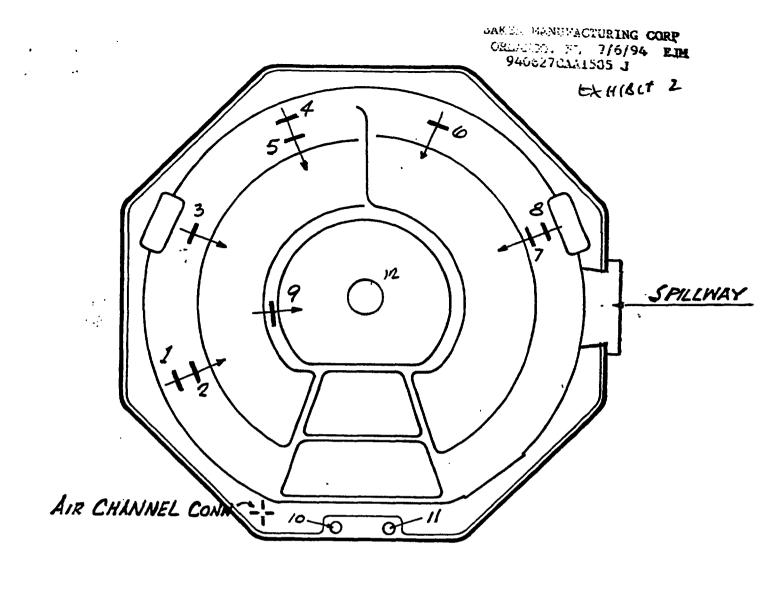




Right hand models shown here Left hand models available



4300-D L.B. McLeod Road • Orlando, Florida 32811 Spas (407) 426-7727 • Fax (407) 246-0471 • (800) 881-2284



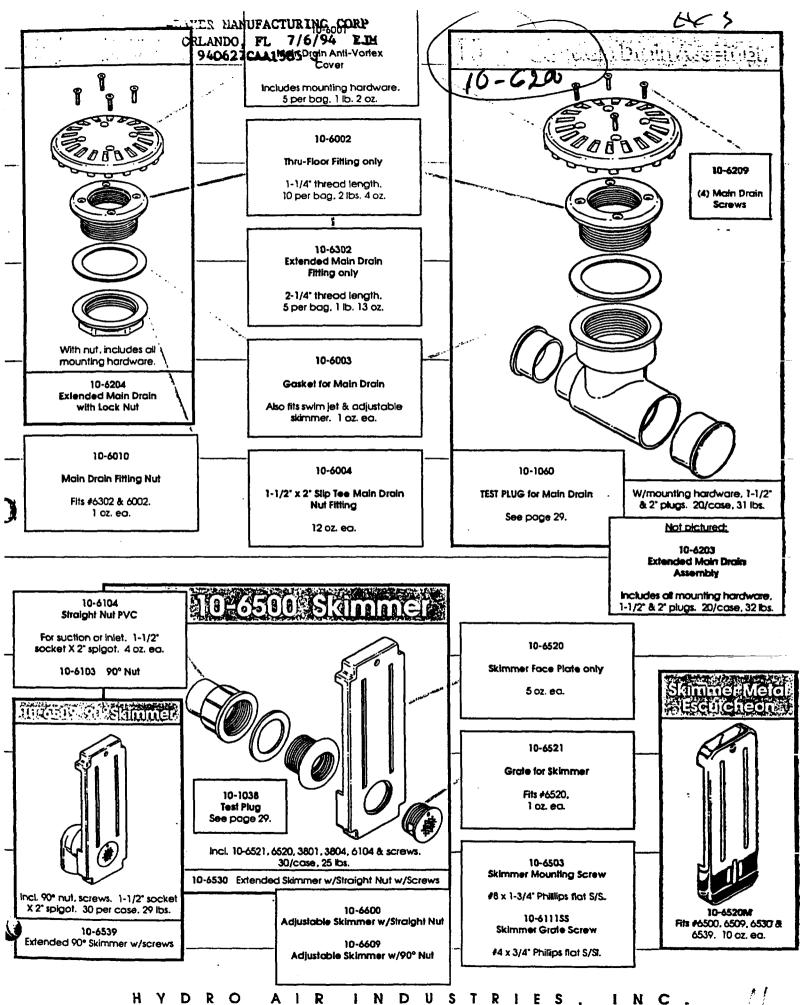
NS-302 FITTING COLOR:

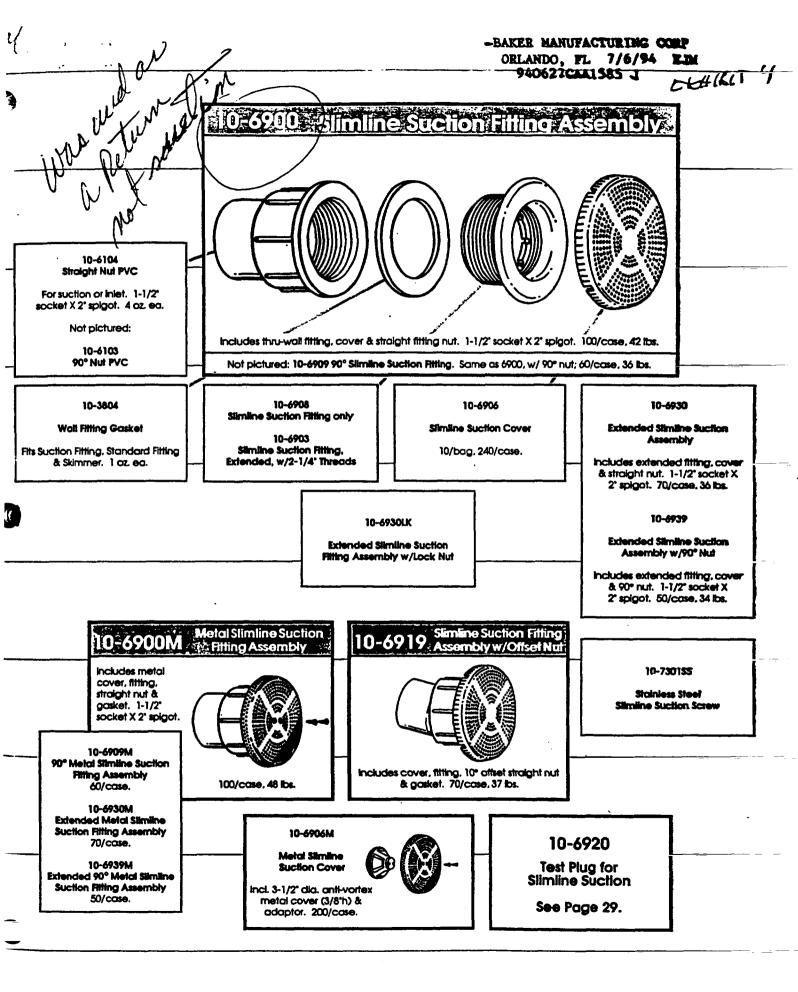
MFG. KEY

- *1 THRU 8 HY PROJETS
- · #9- HA SLIM LINE SIDE DRAIN
- *10 HA I" AIR CONTROL (FOR JETS * 1. THRU4)
- · * 11 HA I" AIR CONTROL (FOR SETS *5 THRUB)
- · #12 HA 2" MAIN DRAIN

- · /2 * PIPE FOR JETS WATER

 (STUB W/2#)
- · I" PIDE FOR JETS AIR
- · /h" PIPE STUB FOR #9
- · 2 & PIDE STUB FOR #12
- · 2" PIPE STUB FOR AIR CHAN.







-BAVER MANUFACTURING CORP ONLANDO, FL 7/6/94 940627CAA1585 J 10-6200 Hour Vla SUCTION FITTING INSTALLATION INSTRUCTION

INSTALLATION:

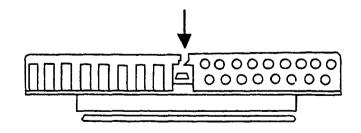
1.) Making sure the surface is flat for best possible seal, drill a hole to suit the wall fitting being installed.

RECOMMENDED HOLE SAW SIZES ARE:

#10-6106 & 10-6106M STANDARD SUCTION 2 9/16* #10-6906 & 10-6906M SLIMLINE SUCTION 2 9/16" #10-6806 & 10-6806M HI VOLUME SUCTION 2 9/16" #10-6001 MAIN DRAIN 3"

NOTE: SEE REVERSE SIDE FOR PROPER SUCTION FITTING ASSEMBLIES.

- 2.) The gasket, when used, should be placed on the outside surface of the spa/tub. On a radius, the gasket should be placed on the inside of spa/tub to obtain the best seal. Make sure the sealing surface is smooth to provide for a good seal.
- 3.) Before inserting the wall fitting through the hole, apply silicone to the threads. This will help seal the wall fitting and the nut.
- 4.) Using a wrench, hand tighten the wall fitting into the nut. It is not necessary to overtighten as the gasket and silicone will create a good seal.
- 5.) Screw the suction cover with threaded adapter into wall fitting until adapter bottoms out. On the Slimline model, #10-6906 & 10-6906M, the cover will lock automatically when fully tightened. All other models require the locking screw to be placed through the face of the cover in the provided hole, and tightened until the cover is secure.
- 6.) To remove the cover, on Slimline models, lift the latch at the side of the cover while rotating counter clockwise. Other models require the removal of the locking screw and then rotating the cover counter clockwise.

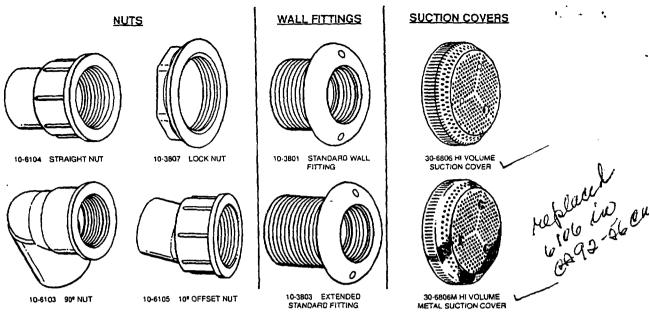


NOTE: To reduce the risk of drowning from hair and body entrapment, install a suction fitting(s) with a marked flow rate in gallons per minute that equals or exceeds the flow rate of your system

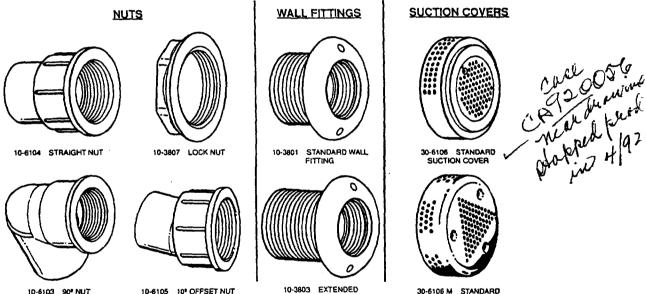
NOTICE TO BATHER

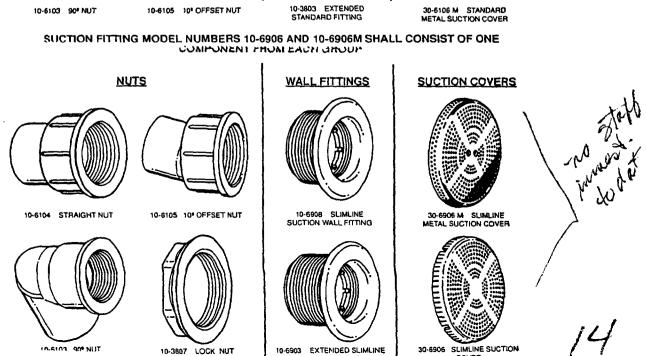
- 1.) Keep hair and clothing a minimum of twelve inches away from the suction fitting at all times. Persons with long hair should either secure hair to a minimum length or wear a bathing cap.
- 2.) Children should NEVER use or be left unattended at any time in a swimming pool, spa, hot tub, whirlpool or ietted bathtub.

SUCTION FITTING MODEL NUMBERS 10-6806 AND 10-6806M SHALL CONSIST OF UNE COMPONENT FROM EACH GROUP.



SUCTION FITTING MODEL NUMBERS 10-6106 AND 10-6106 M SHALL CONSIST OF ONE COMPONENT FROM EACH GROUP:





-BAXEL MANUFACTURING CORP CRLANDO, PL 7/6/94 RIM 940627CAA1585 J



10-6700 PACKABE (ASEAN SLOV FITHE

SUCTION FITTING INSTALLATION INSTRUCTIONS

INSTALLATION:

1.) Making sure the surface is flat for best possible seal, drill a hole to suit the wall fitting being installed.

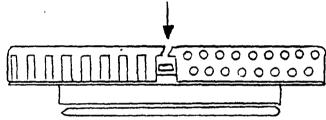
RECOMMENDED HOLE SAW SIZES ARE:

#10-6106 & 10-6106M STANDARD SUCTION 2 9/16" #10-6906 & 10-6906M SLIMLINE SUCTION 2 9/16" #10-6406 & 10-6406M HI FLOW SUCTION 3" #10-6001 MAIN DRAIN 3"

- 2.) The gasket, when used, should be placed on the outside surface of the spa/tub. On a radius, the gasket should be placed on the inside of spa/tub to obtain the best seal. Make sure the sealing surface is smooth to provide for a good seal.
- 3.) Before inserting the wall fitting through the hole, apply silicone to the threads. This will help seal the wall fitting and the nut.
- 4.) Using a wrench, hand tighten the wall fitting into the nut. It is not necessary to over tighten as the gasket and silicone will create a good seal.

(See reverse side)

- 5.) Screw the suction cover with threaded adapter into wall fitting until adapter bottoms out. On the Slimline model, #10-6906 & 10-6906M, the cover will lock automatically when fully tightened. All other models require the locking screw to be placed through the face of the cover in the provided hole, and tightened until the cover is secure.
- 6.) To remove the cover, on Slimline models, lift the latch at the side of the cover while rotating counter clockwise. Other models require the removal of the locking screw and then rotating the cover counter clockwise.



NOTE: To reduce the risk of drowning from hair and body entrapment, install a suction fitting(s) with a marked flow rate in gallons per minute that equals or exceeds the flow rate of your system.

NOTICE TO BATHER

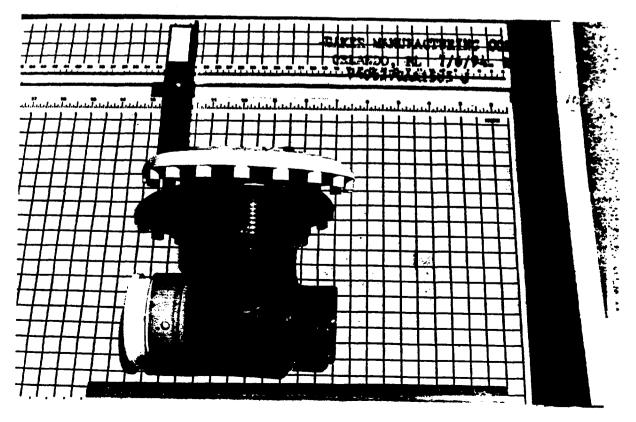
- 1.) Keep hair and clothing a minimum of twelve inches away from the suction fitting at all times. Persons with long hair should either secure hair to a minimum length or wear a bathing cap.
- 2.) Children should NEVER use or be left unattended at any time in a swimming pool, spa, hot tub, whirlpool or jetted bathtub.

AS WITH ANY BODY OF WATER, A BATHER SHOULD NEVER USE IT ALONE OR WITHOUT SUPERVISION.

-BAKER MANUTACTURING CORP
ORLANDO, FL 7/6/94 EIM
940627GAA1585 J
4.7

PHOTO 1 MAIN(BOTTOM) DRAIN IN THE SPA. WHEN VIEWING THESE PHOTOS, PLEASE REFER TO THE ATTACHED INFORMATION SHEET FOR"10-6200 Main Drain Assembly". Drain shown here is assembled position. Note either end of the Tee connection can be blocked depending on the intended use.

PHOTO 2 AS ABOVE



2 7

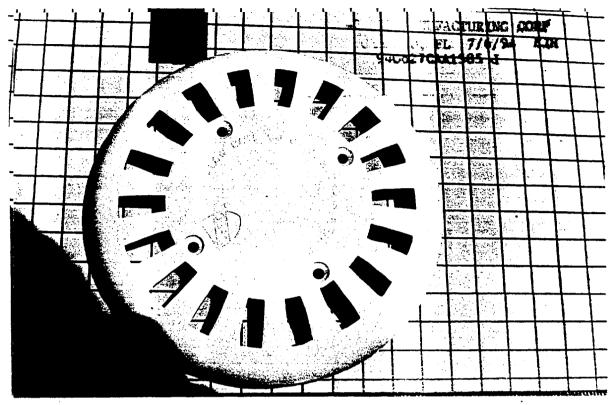


PHOTO 2 DOMED COVER. 6 INCHES IN DIAMETER

PHOTO of AS ABOVE

